

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 11, 2017**

Council Members Bud Otis, President; M.C. Keegan-Ayer, Vice-President; Jerry Donald, Tony Chmelik, Jessica Fitzwater, Kirby Delauter and Billy Shreve were present for the meeting.

Also present were Ragen Cherney, Council Chief of Staff; Wendy Kearney, County Attorney's Office; and Nancy Luna, Recording Secretary.

Council Member Otis called the meeting to order at 4:30 p.m. in the first floor hearing room, Winchester Hall, 12 East Church Street, Frederick, Maryland.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Action on the Agenda

*Council Member Keegan-Ayer moved to approve the agenda as presented.
Council Member Chmelik seconded the motion that passed 6-1 with Council Member Shreve opposed.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

Public Comments

- None

Budget Adjustment – Rick Harcum, Budget Office, Office of the County Executive

- J-17-238 – Department of Aging
- J-17-241 – Family Partnership

*Council Member Keegan-Ayer moved to approve the budget adjustments as presented.
Council Member Chmelik seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		

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District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve	X		
Presiding Officer - Otis	X		

Business Items:**Approval of Minutes for May 9 and May 16, 2017**

Council Member Keegan-Ayer moved to approve the minutes for May 9 and 16, 2017, as presented. Council Member Chmelik seconded the motion that passed 6-1 with Council Member Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

Appointments to Frederick County Board of Appeals

Council Member Keegan-Ayer moved to approve the appointments as presented. Council Member Chmelik seconded the motion that passed 6-0-1, Council Member Shreve abstained.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve			X
Presiding Officer - Otis	X		

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Confirm the County Executive's Appointments to the Frederick County Planning Commission

Council Member Keegan-Ayer moved to approve the County Executive's appointments as presented. Council Member Chmelik seconded the motion. Council Member Delauter asked to have the vote separately for the two candidates.

Council Member Keegan-Ayer moved to approve the County Executive's appointment of Ms. Sharon Suarez. Council Member Chmelik seconded the motion that passed 6-1 with Council Member Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

Council Member Keegan-Ayer moved to approve the County Executive's appointment of Ms. Craig Hicks. Council Member Chmelik seconded the motion that passed 5-2 with Council Members Delauter and Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

Confirm the County Executive's Appointments to the Frederick County Ethics Commission

Council Member Keegan-Ayer moved to approve the County Executive's appointments as presented. Council Member Chmelik seconded the motion that passed 5-2 with Council Members Delauter and Shreve opposed.

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Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

Wellington III, LLC (Wedgewood West) MXD Rezoning Case No. R-07-01 (A)

Wendy Kearny, Office of the County Attorney, presented the Wellington III, LLC Rezoning Ordinance No. 17-02-002 for the Council Members signature.

Adoption of Amended Council Rules

Council Member Keegan-Ayer moved to withdraw Amendment #3. Council Member Fitzwater seconded the motion.

Council Rule 4-2 is amended by adding as follows:

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**(c) [THREE COUNCIL MEMBERS CAN ADD ITEMS TO A
FUTURE WORKSHOP AGENDA.]**

EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE BILL.

[Brackets] indicate matter deleted from the bill.

The vote to withdraw Amendment #3 passed 5-2 with Council Members Delauter and Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

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Council Member Fitzwater moved Amendment #9. It was seconded by Council Member Keegan-Ayer.

Council Rule 4-2 is amended by adding as follows:

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- (d) THREE COUNCIL MEMBERS CAN ADD AN ITEM TO A FUTURE WORKSHOP AGENDA IF THE REQUESTED ITEM INCLUDES A LEGISLATIVE COMPONENT. ITEMS REQUESTED MUST BE IN WRITING WITH A BRIEF SYNOPSIS AND EXPLANATION OF THE LEGISLATIVE INTENT.**

EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE BILL.

[Brackets] indicate matter deleted from the bill.

The vote on Amendment #9 passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve	X		
Presiding Officer - Otis	X		

Council Member Keegan-Ayer moved to adopt the Council Rules as amended. Council Member Fitzwater seconded the motion which passed 6-1 with Council Member Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

(The Council took a break at 4:42 p.m. and reconvened at 7:00 p.m.)

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Second Reading Calendar:

To Consider Bill No. 17-11 regarding Antique, Artisan, and Craft Shops in the Limited Industrial District – Council President Bud Otis

A public hearing was held, as duly advertised, on Bill No. 17-11.

Public comment was heard from:

- Bruce Dean
- Rebecca Johnson

It was noted the proposed bill would be scheduled for adoption on Tuesday, July 18, 2017.

To Consider Bill No. 17-12 regarding Frederick County Employee Retirement Plan – Council President Bud Otis (On behalf of the County Executive

Linda Thall, County Attorney's Office and Mitch Hose, Director, Human Resources Division presented the bill to the council.

A public hearing was held, as duly advertised, on Bill No. 17-12.

Public comment was heard from:

- Mary Ann Wright

It was noted the proposed bill would be scheduled for adoption on Tuesday, July 18, 2017.

To Consider Bill No. 17-13 regarding Limited Wood Waste Recycling in the General Commercial District – Council Member Billy Shreve

Council Member Shreve presented the bill to the council.

A public hearing was held, as duly advertised, on Bill No. 17-13.

Public comment was heard from:

- Rick Bussard
- Steve Horn, Planning and Permitting Division
- Shawna Lemonds, Planning and Permitting Division

It was noted the proposed bill would be scheduled for adoption on Tuesday, July 18, 2017.

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Public Comments

- None

Council Member Comments

Comments were provided by the Council Members.

Adjourn

The meeting adjourned at 8:00 p.m.

Bud Otis, President
County Council